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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Paul D. Golian

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10/3/06

Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF EDWIN CLARK, ET AL.

**APPLICATION NO: 10/585,261** 

FILED: 07/5/2005

FOR: BIOMARKERS AND METHODS FOR DETERMINING SENSITIVITY TO

**EPIDERMAL GROWTH FACTOR RECEPTOR MODULATORS** 

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

This paper is being filed within three months of the date of entry of the national stage. Therefore, no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-3880.

In accordance with 37 C.F.R. §1.56, applicant wishes to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

Pursuant to the OG Notice of August 5, 2003 for U.S. national applications filed after June 30, 2003, the requirement for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication is waived, and accordingly copies of the U.S. patent and U.S. patent publications are not submitted. Copies of foreign patent documents and non-patent literature, if cited, are enclosed.

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The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,

Bristol-Myers Squibb Company Patent Department P.O. Box 4000 Princeton, NJ 08543-4000

Paul D. Golian Attorney for Applicant Reg. No. 42 591

Reg. No. 42,591 Phone: 609-252-4091 Date: 10/3/06 Substitute for form 1449/PTO INFORMATION DISCLOSUREDENA

STATEMENT BY APPLICANT(S)

PTO/SB/08A (8/03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**COMPLETE IF KNOWN** 10/585,261 **Application Number** Filing Date 01/07/2005 **EDWIN CLARK** First Named Inventor Art Unit

**Examiner Name** 

(use as many sheets as necessary) Attorney Docket Number | 10159 US PCT Sheet of

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	U.S. P	ATENT DOC	UMENTS	
Cite No.	Document Number	Publication date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	4,943,533	07/24/1990	Mendelsohn et al.	
AB	5,196,446	03/23/1993	Levitzki et al.	
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AF	5,646,153	07/08/1997	Spada et al.	·
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АН	5,679,683	10/21/1997	Bridges et al.	
Al	5,891,996	04/06/1999	Mateo de Acosta del Rio et al.	
AJ	6,235,883	05/22/2001	Jakobovits et al.	
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	AA AB AC AD AE AF AG AH AI	Cite No. Document Number  AA 4,943,533  AB 5,196,446  AC 5,558,864  AD 5,569,588  AE 5,616,582  AF 5,646,153  AG 5,656,655  AH 5,891,996  AJ 6,235,883	Cite No.         Document Number         Publication date MM-DD-YYYY           AA         4,943,533         07/24/1990           AB         5,196,446         03/23/1993           AC         5,558,864         09/24/1996           AD         5,569,588         10/29/1996           AE         5,616,582         04/01/1997           AF         5,646,153         07/08/1997           AG         5,656,655         08/12/1997           AH         5,679,683         10/21/1997           AI         5,891,996         04/06/1999           AJ         6,235,883         05/22/2001	Cite No.   Document Number   Publication date MM-DD-YYYY   Applicant of Cited Document Number   AA

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Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Check box if English language translation is attached				
	AK	WO2004/063709	07/29/2004	PCT						
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant

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COMPLETE IF KNOWN						
Application Number	10/585,261					
Filing Date	01/07/2005					
First Named Inventor	EDWIN CLARK					
Art Unit						
Examiner Name						
Attorney Docket Number	10159 US PCT					

NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article(when appropriate), title of the item Check box if English Cite xaminer (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), language Initials publisher, city and/or country where published Translation is attached 2AA Alizadeh, A. et al., "Distinct types of diffuse large B-cell lymphoma identified by gene expression profiling", Nature, Vol. 403, pp. 503-511 (2000) Alon, U. et al., "Broad patterns of gene expression revealed by clustering 2AB analysis of tumor and normal colon tissues probed by oligonucleotide arrays", Proc. Natl. Acad. Sci., Vol. 96, pp. 6745-6750 (1999) Bittner, M. et al., "Molecular classification of cutaneous malignant melanoma 2AC by gene expression profiling", Nature, Vol. 406, pp. 536-540 (2000) Blanchard, A. et al., "Sequence to array: Probing the genome's secrets", 2AD Nature Biotechnology, Vol. 14, pp 1649 (1996) Cockett, M. et al., "Applied genomics: integration of the technology within 2AE pharmaceutical research and development", Current Opinion in Biotechnology, Vol. 11, pp. 602-609 (2000) 2AF Fry, D. et al., "A Specific Inhibitor of the Epidermal Growth Factor Receptor Tyrosine Kinase", Science, Vol. 265, pp. 1093-1095 (1994) Golub, T. et al., "Molecular Classification of Cancer: Class Discovery and 2AG Class Prediction by Gene Expression Monitoring", Science, Vol. 286, pp. 531-537 (1999) Khan, J. et al., "Gene Expression Profiling of Alveolar Rhabdomyosarcoma 2AH with cDNA Microarrays", Cancer Research, Vol. 58, pp. 5009-13 (1998) Khan, J. et al., "Classification and diagnostic prediction of cancers using gene 2AI expression profiling and artificial neural networks", Nature Medicine, Vol. 7(6), pp. 673-679 (2001) Lockhart, D. et al., "Expression monitoring by hybridization to high-density 2AJ oligonucleotide arrays", Nature Biotechnology, Vol. 14, pp.1675-80 (1996) Panek, R. et al., "In Vitro Pharmacological Characterization of PD 166285. a 2AK New Nanomolar Potent and Broadly Active Protein Tyrosine Kinase Inhibitor", The J. of Pharmacology and Experimental Therapeutics, Vol. 283(3), pp. 1433-1444 (1997) Riss, T. et al., "Comparison of MTT, XTT and a novel tetrazollum compound 2AL MTS for in vitro proliferation and chemosensitivity assays", Mol. Biol. Cell, Vol. 3 (Suppl.), pp. 184a (1992)

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xaminer	Cite	NON PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article(when appropriate), title of the item	Check box if English
Initials	No.	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	language Translation is attached
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	ЗАВ	Shipp, M. et al., "Diffuse large B-cell lymphoma outcome prediction by gene- expression profiling and supervised machine learning", Nature Medicine, Vol. 8(1), pp. 68-74 (2002)	
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